

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47846 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. RAM SHANKAR SINGH SON OF GANGA SINGH VILLAGE- CHAK MUZAFFAR, P.S.- NOWKOTHI, , DISTT.- BEGUSARAI
 2. LALAN SINGH SON OF RAM KRIPAL SINGH VILLAGE- CHAK MUZAFFAR, P.S.- NOWKOTHI, , DISTT.- BEGUSARAI
 3. KANHAIYA KUMAR SON OF SHIV SHANKAR SINGH VILLAGE- CHAK MUZAFFAR, P.S.- NOWKOTHI, , DISTT.- BEGUSARAI
 4. SAURAV KUMAR SON OF LALAN SINGH VILLAGE- CHAK MUZAFFAR, P.S.- NOWKOTHI, , DISTT.- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Randhir Kumar No 1, Advocate
For the Informant	:	Mr. Subhesh Pandey, Advocate
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2024 Heard Mr. Randhir Kumar No. 1, learned counsel for the petitioners, Mr. Subhesh Pandey, learned counsel appearing on behalf of the Informant as well as Mr. Parmanand Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Nowkothi P.S. Case No. 40 of 2024, F.I.R. dated 27.03.2024 registered for the offences punishable under Sections 341, 323, 307, 379, 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons have assaulted the son of



informant by means of fist, slap and brick stone due to which he sustained head injury

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that the F.I.R. is in two parts, in first part, there is specific allegation of assault is against co-accused person namely Rakesh Singh and in second part, there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that from perusal of the F.I.R. it appears that the petitioners are named in the F.I.R. and apart from that there is specific allegation against them that they have assaulted the son of the informant as well as the petitioner nos. 1, 3 and 4 carry one more case other than the present one and petitioner no. 2 carries two more cases other than the present one but fairly submits on the basis of paragraph no. 3 of the bail petition that the petitioners are on bail in all the pending matters.

6. Considering the facts and circumstances of the



case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Nowkothi P.S. Case No. 40 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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